

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:15-00205

LEON WILSON, JR.

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On June 29, 2020, the United States of America appeared by Christopher R. Arthur, Assistant United States Attorney, and the defendant, Leon Wilson, Jr., appeared in person and by his counsel, Philip B. Sword, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a 36-month term of supervised release in this action on August 2, 2019, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on March 22, 2019.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed controlled substances as evidenced by a positive urine specimen submitted by him on August 14, 2019, for amphetamine, the defendant having admitted to the probation officer that he smoked methamphetamine on August 8, 2019; on October 24, 2019, the defendant admitted to the probation officer that he smoked marijuana on October 22, 2019; a positive urine specimen submitted by him on November 6, 2019, for amphetamine, methamphetamine, and marijuana, the defendant admitting to the probation officer on December 3, 2019, that he nasally ingested methamphetamine and smoked marijuana a few days prior to submitting the urine screen; a positive urine specimen submitted by him on December 17, 2019, for amphetamine and methamphetamine, the defendant admitting to the probation officer that from November 4 to December 14, 2019, he used methamphetamine on three occasions by nasally ingesting it once and smoking it twice; a positive urine specimen submitted by him on January 2, 2020, for methamphetamine, amphetamine, and marijuana; a positive urine specimen submitted by him on January 28, 2020, for methamphetamine, the defendant

admitting to the probation officer that he smoked methamphetamine on January 21, 2020; and a positive urine specimen submitted by him on March 2, 2020, for methamphetamine, the defendant admitting to the probation officer that he smoked methamphetamine on February 22, 2020; (2) the defendant has failed to engage in any lawful occupation since beginning supervised release on August 2, 2019; (3) the defendant failed to appear for urine collections on November 11 and December 26, 2019, January 14, January 24, January 29, February 5, February 18, February 24, and March 6, 2020; and failed to attend two intensive outpatient groups per week as instructed by the probation officer on August 14, 2019, only attending three individual substance abuse treatment sessions from August through November, 2019, being August 28, October 31, and November 6, 2019, and not attending any sessions since November 2019; and (4) the defendant failed to attend sex offender treatment sessions on January 2, January 8, and February 25, 2020, as instructed by the probation officer; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of

supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

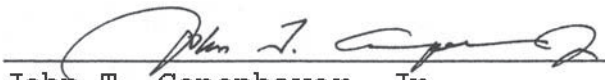
And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of FOURTEEN (14) MONTHS, with no further term of supervised release imposed.

The court makes the recommendation to the Bureau of Prisons that the defendant be placed at FCI McDowell, if feasible.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: June 30, 2020



John T. Copenhaver, Jr.
Senior United States District Judge